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SERVICE DATE - JANUARY 3, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 143X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT AND DISCONTINUANCE
OF TRACKAGE RIGHTS EXEMPTION—IN WRIGHT, FRANKLIN AND CERRO GORDO
COUNTIES, IA

Decided: December 27, 2001

On February 10, 2000, a decision and notice of interim trail use or abandonment (NITU) was served, authorizing a 180-day period for Iowa Trails Council and the Wright County Conservation Board, a county government agency (collectively, ITC), to negotiate an interim trail use/rail banking agreement with the Union Pacific Railroad Company (UP) for the 12.38-mile line of railroad over the Thornton Industrial Lead (formerly known as the Fort Dodge Branch) from milepost 17.14 near Thornton to milepost 29.52 near Belmond, in Wright, Franklin and Cerro Gordo Counties, IA. The 180-day period under the NITU was extended by decisions served August 1, 2000, February 2, 2001, and August 2, 2001. The latest extension is scheduled to expire on January 15, 2002.

On December 20, 2001, ITC requested an additional 180-day extension of the negotiating period so that it can complete negotiations with UP for acquisition of the right-of-way. On December 21, 2001, UP advised that it is willing to continue to negotiate with ITC.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.¹ Under the circumstances, an extension of the negotiating period is warranted and will promote the establishment of trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the negotiating period will be extended to July 14, 2002.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The negotiating period under the NITU is extended to July 14, 2002.

¹ See Rail Abandonments—Supplemental Trails Act Procedures, 4 I.C.C.2d 152 (1987).

2. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary